

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**U.S. BANK NATIONAL ASSOCIATION,
Plaintiff,**

CIVIL ACTION

v.

**B-R PENN REALTY OWNER, LP.,
Defendant.**

NO. 21-0502

ORDER

AND NOW, this 1st day of July, 2021, upon consideration of Plaintiff's Motion to Dismiss for Failure to State a Claim (ECF 13), Defendant's Response thereto (ECF 20), and Plaintiff's Reply (ECF 21), **IT IS HEREBY ORDERED** that the Motion is **GRANTED** and Defendant's counterclaims are **DISMISSED**.

BY THE COURT:

/s/ Wendy Beetlestone

WENDY BEETLESTONE, J.